

Introduction

Ancient Greek philosopher Plato once stated, “Rhetoric is the art of ruling the minds of men” (Gorgias). All mediated messages—literature, TV, newspapers—influence the minds of the receivers. Rhetoric (whether fiction or non fictional) has the power to shape an individual's thoughts. It is not Plato's contributions to rhetorical theory that make the aforementioned quotation significant, but rather the demonstrated necessity for communication scholars—or any consumers of communication—to scrutinize the source and attempt to gauge the rhetor's perspective and intentions. Plato's quotation may seem to have a negative connotation, but in the context of my senior project, it is a positive statement. My project analyzes a fictitious book for its relatability to real life. In this sense, “ruling the minds of men” may not be negative if it informs readers about real world analogs.

John Grisham is widely known for writing fiction legal thrillers. Fast-paced, intense, and controversial, Grisham upholds this signature style in his book, *The Appeal*. In this novel, Grisham addresses the theme of political corruption within the field of law. Throughout the book, greed and fraud surface as a major corporation uses its wealth and power to rig an election, which ultimately overturns a major verdict against them. Krane Chemical Corporation-- and the firms in cahoots with them-- ultimately cheat citizens and undermine the integrity of the Supreme Court of Mississippi. Political corruption is not new; U.S. politicians and corporations have a history of exploitation, scandals and hidden agendas. Although John Grisham writes a plot that reveals societal corruption, the question remains to what extent his piece reflects American culture.

The General Prospect

My paper assesses the verisimilitude of John Grisham's novel, *The Appeal*. Despite being a fictional account, I argue that Grisham's plot aligns with the practices of real-world politicians and corporate figures. It is a realistic novel that seems to be grounded in reality, particularly as it was written after *Caperton v. A.T. Massey Coal*, a verdict that led to a fraudulent election. Indeed, there is a tight fit between Grisham's representation of a judicial scandal and its real world counterpart, and this is why we should take *The Appeal* as a realistic representation.

It is important for scholars and any reader alike to be knowledgeable about the occurrence of political scandals in society. This novel reaffirms the notion that knowledge is power. As citizens living under a corrupt legal and judicial system, we need to know who to vote for. We need to know what to petition. Average citizens are not typically aware of the illegal or corruptive practices of big-name corporations. We also might not understand how a certain candidate for an election is able to legally amass millions of dollars for a campaign. However, if citizens know about the loopholes of the U.S. legal system, and follow important news or information that *is* publicly disclosed, we can be knowledgeable about where to place our purchases. We can be knowledgeable about who to vote for—about who to contact.

Unfortunately, many influential people and average citizens alike are too apathetic to understand and act against corruptive practices that are exposed. “Few Americans vote, many tell survey interviewers that they have little faith in the government, many are astonishingly ignorant about the most basic political issues: yet all are touched by this untrusted, ignored government,” Nina Eliasoph wrote in her book, *Avoiding Politics: How Americans Produce Apathy in Everyday Life* (8). Dedicating time toward fighting corruption is daunting. Even reading the details about a recent scandal can be burdensome. Most Americans have their daily agenda: work, raise kids, or volunteer. Anything that is not part of the routine is usually an

imposition. However, democracy should invite public discussion, and part of the reason that corporate America may continue to circumvent punishment (if they are accused of a scandal) is because citizens are apathetic. Apathy may also stem from the fact that many rallying cries or arguments against corporate America are unheard or are seen as invalid. Still, as communication critics, it is important to recognize and understand the flaws of America's legal system that stem from Grisham's novel. Communication critics are the ones who can take a novel and assess its plausibility as they understand how to filter through rhetoric. In this case, the rhetoric centers around our flawed legal system. Hence, communication critics can contribute a certain understanding of an artifact, particularly as they can discern truth from fiction and realize how the text functions.

Students and academics should realize that the media may expose certain scandals with politicians, but it does not expose everything. To more influential people, either in Hollywood or those involved with lobbyist groups, John Grisham's novel needs to be taken as a rallying cry for nurturing our legal system and judicial elections. Congress has implemented Campaign Finance Laws and stricter regulations under the Bipartisan Campaign Reform Act of 2002, but there are certainly loopholes. There is still unregulated soft money that is used to circumvent illegal actions, and the infamous fraudulent election, stemming from *Caperton vs. A.T. Massey Coal* took place in 2004. That incident occurred two years after the Bipartisan Campaign Reform Act was passed.

Grisham's novel presents valid concerns, and I argue that his novel presents non fictional accounts. With the help of books, academic journals, and other scholarly works, I first identify the plot Grisham exposes. I describe the characters and themes as I begin to identify the rhetoric and lens through which he writes. Second, I employ the work of Sonja Foss as I describe the basic components of a narrative prior to conducting narrative analysis. Next, I use the work of

scholars such as Arthur Berger, Ponomareva and Richard Ledet to assess the fit between Grisham's representations of fraud and their real-world counterparts. I also incorporate the case *Caperton vs. A.T. Massey Coal* to facilitate my narrative analysis. Finally, I incorporate the work of scholars such as Markus Appel and Tobias Richter to anticipate counter arguments that could be made to undermine the verisimilitude of *The Appeal*. Throughout this project, I hope to contribute to communication scholarship about recurring corporate injustices in our nation today, while also reminding readers to read even fiction novels with a critical eye.

The Appeal

A horrid crisis has fallen upon Bowmore County and its residents. The local water has been polluted, and the contaminants have killed and sickened hundreds. The perpetrator? Multi-million dollar conglomerate, Krane Chemical Company.

The intense battle begins as a case is brought to court against Krane on behalf of Jeannette Baker. Baker lost her husband and son to the toxic chemicals that polluted their drinking supply. Krane company is accused of knowingly disposing their toxic chemicals into the groundwater of Bowmore, Mississippi, which caused the area to reap the name, "Cancer County."

By page eighteen, John Grisham has already explored some of the major names and characters involved. Wes and Mary Grace Payton decided to represent Jeannette Baker. The Paytons make up the firm Payton and Payton, and after some foolish sacrifices and frivolous spending, they were on the cusp of financial ruin. Their professions and their livelihoods were dependent on the verdict. They incurred hundreds of thousands of dollars in debt from bank loans and investigators, but the reader quickly finds out the verdict. Despite the fact that Krane Chemical Company invested heavily for the finest lawyers and defense team, they lost the jury

trial. They owed a total of \$41 million dollars in actual and punitive damages. As with any corporation, that is a considerable sum, which could and would lead to falling stock prices and fewer investments. The CEO of Krane Company knew those consequences would follow.

Grisham begins to paint the picture of wealth as the story opens. Everything is about money. The Paytons engage in risky endeavors in order to make back money that they had frivolously wasted away over the years, though defending Baker has caused them to incur greater debt. Carl Trudeau is the CEO of Krane Chemical company and a wall-street predator. His corporation and his “boys” are only concerned with making more money, even if that means illegally dumping chemicals into the ground because it is cheaper. Mr. Trudeau is a billionaire who is willing to spend millions of dollars to win the verdict. He lives in a lavish mansion, has drivers, yachts, and houses in various parts of the world. After the verdict, he purchased a horrid piece of artwork at an art auction to appease his trophy wife and his own self esteem. This art piece cost him \$18 million dollars. Trudeau's fear stemmed from the realization that the verdict would deplete his stock's worth. Employees would quit, the location in Mississippi would be shut down, and investors would no longer fund the company. Trudeau would not let this happen. The judicial corruption and manipulation ensues.

Mr. Trudeau has his “men” working on an appeal immediately after the initial verdict is given. But Trudeau realizes that with so many liberals in the supreme court of Mississippi, it would be next to impossible to have the decision turned in their favor once the appeal reaches the court's desk. That is why Trudeau hires an election fraud specialist firm that makes secret deals off shore. Trudeau's aim was to replace the “raging liberal” Sheila McCarthy in the upcoming judicial elections. She tended to side with the underdog, so her presence on the court would be the reason that Krane Chemical's appeal would not be granted. Barry Rinehart, the specialist who charged millions of under-the-table dollars in order to help Mr. Trudeau, had an

entire team of his own. Rinehart's firm chose a lawyer with barely any political experience and a clean slate: Ron Fisk. He was conservative, had no controversial past, and was naïve enough to let Rinehart's "people" select him. With the utmost persuasion and specifically selected evidence, Ron Fisk was impressed that he was chosen to run against McCarthy. He questioned the source of the heavy funds being poured into his campaign, but he was provided with seemingly adequate and innocent answers.

Fisk did not know of Barry Rinehart, but his own life was all too boring to pass up such an opportunity. Rinehart's campaign team used many underhanded tactics to assure Fisk's win. This included hiring drunken, wild gambler Clete Coley to run against both Fisk and McCarthy. Coley made Ron Fisk look more appealing to the public. Rinehart subsequently paid Coley to drop out of the race after they felt that Fisk's image was substantially improved in the public eye. Hiring Coley also had an inadvertent effect on McCarthy—she was thrown off guard when she saw that Coley was the only one running against her, but she dismissed him as a joke who would not win. McCarthy did not know about Fisk until the last few weeks of the election. By that time, Fisk had amassed millions of dollars through excessive, illegal funds from conglomerates and corporations, all unbeknownst to him.

Fisk's flagrant campaign ultimately won him the election, and he soon adopts his conservative position that he was painted as. On page 441, as Fisk is coaching a junior baseball game, his son, Josh, gets hit hard in the face by a baseball. The intense impact left him with a concussion. We soon find out that the baseball, which was hit at an abnormally high speed for their age group, was hit by a defective bat. The batter unknowingly used an illegal bat that was being sold on the market. Suddenly, the issue of corporate responsibility affects Fisk on a personal level, causing him to rethink his conservative judicial position. The negligence of a corporation was essentially the cause for his son's permanent brain injury. But despite this

knowledge, and the feeling that he was being used, Ron Fisk did not do what was right; he did as he was told. He decided to remain in favor of Krane Chemical Company, and he was the last vote needed to overturn the verdict. The scheming CEO Trudeau ultimately won in the end.

One of the central themes at work in this novel is political corruption and greed. Grisham shows how behind-the-scenes agreements and hidden agendas funded by deep-pocketed litigators can ultimately manipulate an entire body of people. This theme makes the book quite compelling; it is rippled with suspense and a subtle fear that similar judicial fraud may be occurring in society today. Throughout the rest of my paper, I assess the extent to which this novel is realistic. Should Grisham's book be believable if it only slightly coincides with legal and political occurrences? If so, does it make his book any less believable? Ultimately, I seek to highlight the elements of reality that are inherent to this text, arguing that the plot mirrors political and legal issues in the United States today.

The Method

Many forms of expression can qualify as narratives. In her book, *Rhetorical Criticism*, Sonja Foss writes that narratives can be found among a multitude of artifacts, including short stories, novels, comic strips, films, plays and songs. "Narratives organize the stimuli of our experience so that we can make sense of the people, places, events and actions of our lives. They allow us to interpret reality" (307). Most of Grisham's characters, particularly CEO Carl Trudeau, seem to embody conventional American greed. Yet the translation of societal figures into fictional characters does not necessarily make *The Appeal* a narrative. Foss writes that there are four characteristics that distinguish narrative discourse from other forms (307).

The first requirement that Foss outlines as inherent to a narrative is that it has at least two events. Foss writes that "These events may be either active or stative," meaning that it can

express action or a condition (307). Throughout Grisham's novel, there are a myriad of events that take place within the overarching plot. In the beginning, Carl Trudeau and his team focus on how they could possibly avoid financial ruin. John Grisham follows Trudeau's life as he loses confidence, pride and money after the verdict. Steadily, Trudeau begins to gain everything back as he hires a secretive firm to rig a judicial election. Of course, other events in the Paytons' lives take place as they face financial ruin and try repay borrowed money to banks and other vendors. The trial left them broke, and the novel follows their struggle to dedicate their livelihoods toward fighting the overturned verdict while still maintaining a family. This novel upholds the first characteristic that Foss describes.

The second narrative requirement is that the events are organized in time order. "The order does not have to be chronological...but at least the narrative tells in some way how the events relate temporarily to one another" (308). Grisham undoubtedly traces the events in a temporal order. The story follows a verdict; next, to planned schemes and corruptive measures that lead to a fraudulent election, and finally, the same election which leads to a new member of the judiciary who is the final vote needed to overturns the initial verdict. After the vote, the "evil" corporate characters associated with Krane Company ultimately prevail. One event or instance occurs logically after another, so *The Appeal* seems to fit this characteristic well.

The third characteristic is that a narrative must include some kind of causal relationship among events in the story. Foss writes that "Sometimes an earlier event in a narrative causes a later event...[and sometimes] the earlier event is necessary for the later event to occur" (308). Grisham's novel fits this characteristic well. The chemical spillage in Bowmore caused citizens to become sick and die, leading to the Paytons finally representing a victim for little to no cost. After a gruesome trial, a million-dollar verdict against Krane Chemical Company caused Carl Trudeau and his fortune to be defamed. This resulted in him hiring the firm, Troy-Hogan, and

ultimately pouring millions into a judicial candidate of their choosing who would ultimately overturn the verdict once it reached the supreme court. The causal relationships throughout this book are very clear cut.

Finally, Foss delineates the fourth requirement of a narrative, writing that it must be about a unified subject. In its entirety, *The Appeal* centers around the overarching premise that wealth can induce corruption and ultimately buy a judicial victory. Grisham does indeed take the reader through a whirlwind of individual battles and perspectives among each character, yet each event surrounds the ultimate issue: Krane Company's decision to repeal the initial verdict. For example, the beginning of Chapter 12 introduces a new character, Sheila McCarthy. We learn about her past in the Supreme Court, her slightly liberal beliefs, and even her weight issues. The reader anticipates her relation to this complex scheme, and on page 164, we find it. Grisham writes: "In the murky world of legislative manipulation, where loyalties shift overnight and a friend can become an enemy by noon, the people in the room were known to be worthy of trust. 'Ladies and gentlemen,' Tony began, 'the purpose of this meeting is to inform you that we will remove Sheila McCarthy from the supreme court in November and her replacement will be a young justice committed to economic growth and limited liability'" (164). Of course, "economic growth" is a guise. It masks the true intent: to remove McCarthy so their pawn, Ron Fisk, may win. With that win, they will have a conservative majority in the Supreme Court, and when the appeal reaches the judiciary, it will likely be overturned. Once again, Grisham upholds another fundamental component that Foss discusses. *The Appeal* fits the mold of a narrative well, so it is appropriate to use narrative analysis as my method of criticism.

Narrative Analysis

By assessing the verisimilitude of Grisham's work, I am merely assessing what seems to have non-fiction analogs. The existence of contemporary legal corruption and fraud is undeniable. There are countless schemes and dubious corporate agendas that are exposed, perhaps some which are never even disclosed to the public. It is true that narrative truth is significantly different from absolute truth, as a narrative still qualifies as a story. Absolute truth include science, facts, and other information gathered from research. Narrative truth incorporates a lot of truth and elements of reality, but the fact that it is a “narrative” shows that it is labeled as fiction, as is the case with *The Appeal*. Though a narration implies fiction, it could very well mirror the real world and real facts, just as most of history has. Much of the world's history has been discovered through rhetoric. Some artifacts are justified based on proven science, and others, by other narratives. In this paper, I argue that Grisham's narrative is more truth than fiction. His story may be slightly dramatized for entertainment purposes, but it extends beyond a seemingly “realistic” portrayal.

The concept of narrative fidelity is critical to understand while examining the truthfulness of any narrative. Walther Fisher is a well known theorist who proposed the narrative paradigm, which holds that humans are innate storytellers. This leaves us as individuals who make decisions, act, and live within a narrative framework. This line of thinking may lead individuals to think that humans base their knowledge off of stories and not facts. But in the text, *Readings in Rhetorical Criticism*, Walther Fisher writes about narrative probability and narrative fidelity—two, fundamental components of the narrative paradigm (298). He differentiates between narratives intertwined with fact and fiction, and stories that are simply fantasy. Fisher defines Fidelity as: “Fidelity is the truth quality of the narrative—whether it represents accurate assertions about reality or rings true with what you know to be true” (297). If a message affirms

a reader's experiences, the fidelity of the novel will increase. Readers of *The Appeal* might find its premises to be realistic and factual for a myriad of reasons; However, a prominent “realistic” aspect which readers may “know to be true” are the qualities associated with Grisham's characters. For example, Bary Rinehart and Carl Trudeau only care about the stock losses and Krane losing investors. They worry about monetary losses instead of the well being of Bowmore citizens. This might seem typical for any head of a corporation. We also discover that some additional political players, including a senator in D.C., become involved with Trudeau for their own financial benefit. It should not be news to readers that congressmen engage in misconduct. There are many behind-the-scenes lobbyists or political players who try to buy votes. In 2012, for example, Chevron Corp. donated approximately \$2.5 million to a GOP Super PAC (*Washington Post* 2012). America's trusted governmental leaders are often found in compromising positions, and there are additional themes in *The Appeal* that seem to have real world counterparts.

The best way to assess the character roles is through the ostensible “hero vs villain” theme that plays out in Grisham's narrative. This concept, found in most theatrical plays or television dramas, is painted by Arthur Berger as an innate characteristic of a “work of art ” (15). In his book *Ads, Fads, and Consumer Culture*, Berger analyzes the standard conventions of a work of art through the lens of commercials. He says that each commercial uses “language brilliantly, and employs the most sophisticated techniques...in order to get their point across” (15). This is easily applicable to novels as well, which is why the use of a hero and villain portrayal may be recognized as a convention of entertainment, not necessarily reality. However, this aspect of a hero and heroin certainly exist in real world politics. The CEO's who defy the campaign funding rules bolster their own agenda and are definitely villainous, even if they are not referred to as such.

Berger states that the use of a hero or heroine evokes the notion of identification since many people like the good character, and try to “emulate their behavior, their 'style' or images...” (15). The importance of such identification is that it “can shape our behaviors in ways that we are generally unaware” (15). People read novels for the same type of entertainment. It is appealing. Since identification and imitation are very likely to occur while reading similar narratives, it is important to recognize the extent to which the plot represents the real-world. The greed and scandals in Grisham's story line identify with political scandals in the past, particularly the case, *Caperton vs. A.T. Massey Coal*, which I will later discuss. I began to see similarities between Grisham's plot and its and its real world representations as his story developed. Still, I ponder the questions: Is Grisham justly exposing what a “bad” CEO would do? In other words, does the villain embody characteristics that are realistic? What about the story's heroes?

The heroes in *The Appeal* are Jeannette's lawyers, who ultimately become symbols of good for all of the people of Bowmore. They are the fighters against the wrongdoings of a big corporation, and they represent the victims' interests. After their win against Krane in the initial verdict, the Paytons receive hundreds of small injury claims from other citizens who wanted retribution. However, they do not have the financial resources to represent each client or to put together a class action suit. Instead, the Paytons must focus on winning the appeal that is made by the defense, which will later be decided by the Supreme Court of Mississippi. Grisham also explores the opposite end of the stick by painting CEO Trudeau and his co-workers as the villains for their selfishness and greed. They are manipulative and deceiving—two traits applicable to a typical “villain.” On the surface, Grisham's characters reinforce the verisimilitude of his novel. Other scholars have contributed work that upholds the tight fit between *The Appeal* and contemporary society.

Walther Fisher perceives a novel to be of high fidelity when it “represents accurate

assertions about reality or rings true with what [readers] know to be true” (297). Scholars who study policymaking or the U.S. legal system help prove the high verisimilitude of *The Appeal*. In his article, “The Iron Law of Oligarchy, or Who Rules America,” author E. Ponomareva confirms the corporate power and greed that exists in America, which may be why readers understand Grisham's book to be of high fidelity. Ponomareva writes that, “Most top policymakers are drawn from big corporations, prominent law firms and Wall Street banks and, less frequently, from scientific establishments...and academic circles” (104). He continues to discuss how many decisions passed by U.S. policy makers, which are understood as American policies on the surface, are actually the decisions of other groups. This statement shows how wealth can have an outstanding influence on many decisions. With little transparency, the public has a hard time obtaining information. In the case of an election, citizens would have little ability to see where candidates retrieved their money, and whether every election or law was enacted fairly. According to Ponomareva, power stems from money. He notes that during campaign season, some of these wealthy corporate influences are “well-known, and [they] make no secret of their activities...but it seems that many other structures never come to the fore; we can only hope that 'there are hardly any secrets in the world which remain secrets forever: Sooner or later they all become known to history' ” (105).

There are additional reasons why readers might “know” Grisham's characters and story line to be true. In a Pittsburgh Gazette editorial, John Kennedy discusses the U.S. Supreme Court's 2011 decision on campaign finance, *Citizens United v. F.E.C.*, which allowed even bigger sums of money to be injected into judicial races around the country. In his editorial, Kennedy writes, “The mixture of money and judges fuels the perception, according to Justice O'Connor and many others, that justice may be for sale.” The innocent party does not always win. Corporate greed and wealth spawns the misuse of power. Kennedy concludes that “perhaps

we've reached the point where we recognize that judges should be different than other politicians, and the way we select them should be as well. Unlike presidents, governors, senators and mayors, judges are not supposed to represent constituencies and fulfill campaign promises...fund-raising prowess and name recognition should not be on par with the qualities we all value in judges -- independence, fairness and respect for the law. ”

Similar to Ponomareva's scholarly work, Richard Ledet also writes about the widely accepted fact that some corruptive activities are never exposed. The knowledge of undiscovered corruption affirms that Grisham establishes more than just fidelity. In his article, “Correlates of Corruption: Rethinking Social Capital's Relationship with Government in the United States,” Ledet writes that “public corruption is in need of more scholarly attention. Put simply, better measures of corruption must be developed...Corruption might be remarkably covert or so widespread that it tends to be overlooked by the officials responsible for prosecuting perpetrators of political corruption” (159). Both Ponomareva and Ledet bolster the fidelity of Grisham's narrative. Grisham only explored one incident of judicial fraud, and even if a reader could not connect it to the real world, his story line and characters are still probable. This leads directly to the perception of probability, which is also used to assess a work's verisimilitude.

In *Readings in Rhetorical Criticism*, Walter Fisher also discusses his concept of narrative probability. He writes that this characteristic of the narrative paradigm coincides with fidelity. In his discussion of the presuppositions of a narrative, he states: “rationality is determined by the nature of persons as narrative beings—their inherent awareness of narrative probability” (297). Rationality is an inherent part of narratives, and it offers “an understanding, of any instance of human choice and action, including science” (298). Scholars cannot deny the existence of scandals or hidden agendas in politics if many incidents are never exposed. The existence of scandals in general is a “rational” thought, as it indeed exists in the U.S, which I will show later.

Therefore, it is very fair to interpret Grisham's piece as a response to cultural conditions; his discourse and plot fundamentally gives us a detailed, case-specific example of Ponomoreva, Ledet, and Fisher's statements.

Of course, proving the tight fit between Grisham's story line and its real world counterpart is still debatable. Readers of *The Appeal* may wonder how a fictitious narrative can be of high fidelity, let alone *representative* of reality, if its premises are not proven to exist. Foss, who sums up the work of Fisher, wrote in her text that "Fidelity as a standard for the evaluation of narrative can be problematic because frequent disagreement occurs among audience members in determining what corresponds to actual reality and what is 'true'. A view of fidelity as correspondence to the facts of the real world might better be replaced, then, with correspondence to the facts within the community or the context in which the narrative is told..." (313). However, corporate greed, exploitation, and dishonesty are verified traits of U.S. corporations and some governmental bodies. I will substantiate this claim later with the invocation of the *Caperton* case.

There are additional scholars who discuss the concept of truth in novels. Though they do not term it as such, authors Sillars and Gronbeck fundamentally depict the importance and acceptance of fidelity in *Communication Criticism: Rhetoric, Social Codes, Cultural Studies*. They write that stories are linked to both values and experience: "humans make sense of their world by...their experiences and the other persons with whom they associate" (214). Applying this notion to Grisham's novel, then, would give the thought to readers that he has merely written about events that he has witnessed. Sillars and Gronbeck also write that "even when stories are fiction, they are not false to one's experience" (216). Of course, that does not necessarily imply inherent validity, but Sillars and Gronbeck continue: "Dramatizing messages by reflecting on experience...[can be applied to]....the solitary reading of a novel...The link to experience is

related to what we might call realistic stories” (217). Examination of the court case *Caperton vs. A.T. Massey Coal* will help facilitate my argument that *The Appeal* does make accurate assertions about reality.

Caperton vs. A.T. Massey Coal

Media outlets in contemporary society have exposed an incessant number of politicians or corporate individuals who have used manipulation or illegal means to achieve profit. In the “Author's Note” at the end of the book, Grisham states that he is compelled to defend his “native state,” and that all of his characters are purely fictional; if there are any similarities between his characters and real people, it is coincidental. However, the lawsuit—arguably the biggest aspect of the novel since it initiated the corruption—is “borrowed from several actual cases” (483).

The infamous case out of West Virginia was *Caperton v. A.T. Massey Coal*, a battle between two coal companies as a result of the illegal cancellation of a long term coal contract. A.T. Massey Coal Company lost \$50 million dollars with the initial verdict. Their CEO, Don Blankenship, whose character is likened to Carl Trudeau, contributed millions of dollars to help a lawyer of his choosing unseat an incumbent judge. Blankenship used attorney Brent Benjamin as his “pawn,” just as Carl Trudeau did with the unheard-of lawyer, Ron Fisk. In an article written for West Virginia Public Broadcasting, author Scott Finn wrote that “In 2002, Blankenship was still a relatively minor player in politics...[and] Brent Benjamin was a little-known defense attorney and treasurer of the state Republican Party.” Again similar to characters in *The Appeal*, Benjamin amassed a large fortune through undisclosed donors, leading to his judicial victory. The money spent on commercials and other advertising were undoubtedly effective. Finn wrote about Blankenship's past support with candidates, noting that he had never spent too much money. However, “...he spent more than \$3 million to run an independent

campaign to defeat McGraw, and install Benjamin in his place.” When this West Virginia case arrived to the Supreme Court of Appeals, Benjamin's vote was the last one needed to reverse the \$50 million dollar decision.

The immense similarities between Grisham's novel and the *Caperton* case show how *The Appeal* speaks back to American culture. If this book used the names of their real-life counterparts, it would certainly be deemed as non-fiction.

There are definite discrepancies between both cases. One major difference is that Grisham's character, Ron Fisk, did not know where his funds were coming from. He made multiple inquiries to his manager, suspecting that there were devious characters involved, but he continued the race since it advanced his own career. In the *Caperton* case, Benjamin was ultimately recused after the United States Supreme Court found his judiciary election to have been supported by CEO Blankenship. If anything, though, this difference shows that Grisham painted a better picture than what actually occurred. Grisham made one less character evil and selfish. In the West Virginia case, Benjamin was certainly at fault for running and subsequently voting in favor of *Massey*. Benjamin, like his financial supporters, was selfish and manipulative.

The concept of judicial fairness in regard to the *Caperton* case was discussed by an anonymous author in the article, “Can Justice Be Bought? Soaring Spending on Judicial Elections Requires Tighter Rules for Disqualifying Judges.” The article expounds upon the details on the case, stating that the supreme court chose to take the right path by disqualifying the judge who was funded by corporate power and illegal means. Unlike the *Caperton* case, Grisham's novel does not end nicely, and the inevitable truth that we must face is that judicial fraud still easily occurs. The article states that this is because states set their own recusal (or disqualification) rules, but the *Caperton* case became a federal matter: “Last year, Wisconsin—home to some of the nastiest big-money judicial races —...weakened the recusal standard,

adopting a new rule that campaign donations or expenditures can never be the sole basis for a judge's disqualification” (1). In the context of Grisham's novel, neither the Mississippi court judges nor the public find out about Ron Fisk's funds. If anything, Wisconsin's weakening of the recusal standard upholds Grisham's plot and why there is clearly a lot about reality working on his text. In the same article, it is written that “Many judges wrongly view mandatory disqualification rules involving election money as a personal insult and a threat to judicial independence. The real threat to independence lies in doing nothing to protect judicial integrity in the face of obvious conflicts” (1). The relative innocence of Ron Fisk, as well as the significant similarities between *Caperton* and *The Appeal*, show that the novel should be interpreted as having more than just narrative truth. It is more than just realistic; It is grounded in reality.

To further analyze the tight fit between the book and reality, I quantify the judicial corruption that may exist in the United States. In the *Journal of Policy Modeling*, authors Rajeev Goel and Michael Nelson conclude that corruption is contagious, and their findings “hold when [we] control for the disproportionate effects of the Washington, D.C. area and when a pooled data set is estimated.” They concluded that Virginia, Maryland and Washington D.C. are states that represent only one cluster of exceedingly high political corruption because of the “border effect.” This border effect demonstrates that neighboring states will have an influence on whether another state is corrupted as well, which is why the highest corruption statistics are in clusters. So, a way of seeing whether Grisham's story is comparable to Mississippi (or any other state) would be to analyze the corruption statistics of its neighbors.

Goel and Nelson make an interesting point that is highly applicable to the corruption that exposed in *The Appeal*. They conclude that “greater judicial employment” (which includes all court and court-related activities) seems to increase corruption. “Possible explanations for this

finding might be that bribe takers and bribe givers either view the judicial process as somewhat corrupt, the punishment given might be too lenient or the delay in punishment might reduce its (present-discounted) deterrence impact” (841). Would regular elections, then, lead to greater corruption? It is possible that Ron Fisk's illegal funding has the same or less perceived corruption than any other type of election. However, judiciary employment increases the chance for corruption, so Grisham may have adequately shown that the election of Ron Fisk is proving exactly what Goel and Nelson concluded.

Discussion and Conclusion

Appel & Richter

Authors Appel and Richter are two scholars who have written about the verisimilitude of fiction novels, but their work argues that fiction novels are merely persuasive in nature. “It would be a paradox to oblige authors of novels, for example, to stick to the truth when they are writing their stories. At the same time, however, fictional products cannot but contain a lot of information that may be applied to the real world,” (Appel & Richter 114) . “In novels or television dramas we find true facts mixed with invented ones” (114). These authors wrote about the substantial persuasive effects that can arise from fictional accounts. Arguments against the plausibility of Grisham's novel may say something similar; that its persuasiveness is the reason for its believability. But fiction novels induce changes in real-world beliefs because the messages resonate with readers. The messages that resonate with readers are critical because they are reinforced by what readers know to be true, as I previously discussed with Foss.

Throughout their article, Appel and Richter conducted a study in which they found readers to be persuaded by fiction because of captivating plots. This statement would undermine the verisimilitude of Grisham's narrative and imply that it is merely persuasive rhetoric and

believable for the “captivation” it evokes among readers. Appel and Richter wrote that readers are fundamentally transported into a fictional world which temporarily alters their frames of reference and cognitive processes (128). But this statement implies that the reader is simply persuaded. Their findings have significant limitations.

Despite their argument about readers being only temporarily persuaded, Appel and Richter expose the possibility that fictional narratives can have some inherent fidelity. Among readers, “belief-congruent (true) information would bolster the certainty of those beliefs,” a result that was found after their experiment (120). But Appel and Richter failed to explain *why* reading information in a fictitious novel may reinforce previously held (true) beliefs. Perhaps the reader saw a scenario on the news which was depicted in the book. That means that the fictional novel upheld something that the reader experienced in the real world, which again relates back to what Foss defined as narrative fidelity. Foss and Fisher have, of course, explored fidelity based on this definition. Appel and Richter, however, did not delve into the reasons fictional narratives would bolster previously held beliefs, and that is a significant limitation of their study.

Appel and Richter predicted that “certainty values for both types of beliefs (true and false) were expected to return back to baseline level after a delay of 2 weeks. By then, readers would no longer be aware of the novelty of both belief-congruent and belief-incongruent information conveyed by the narrative...” (120). The results of their experiment showed that there was a weak correlation between the “interaction of truth of assertion and delay of assessment,” essentially meaning that there was effective long-term persuasion among readers who read a fictional narrative (127). Again, the authors did not even seek to explain why an assertion may be congruent to a “belief.” Using the term “belief-congruent” undermines the potential for truth; it implies that a belief is not necessarily true just because a fictional narrative verifies it. The authors fundamentally argue that fictional rhetoric will have only a temporary

effect on readers. However, readers who are academic scholars or who are politically active, for example, will align *The Appeal* to their own knowledge or experience. Appel and Richter do not relate “long term persuasion” to the fact that a fictional narrative may just be reaffirming information the reader knows to be true. Rhetoric has the power to persuade, but its messages will be more effective not because of the reader's beliefs, necessarily, but because of the reader's knowledge.

Appel and Richter's research shows that fictional narratives can have a persistent, implicit influence on the way we view the world. Their research supports the fact that subtle persuasion is more effective than a straightforward argument. Despite the limitations I found to their study, both authors conclude that “fictional narratives are a powerful educational tool that on the one hand may be used in a planned and reasonable way to change beliefs and behavior” (115) which is an important message that communication scholars are typically aware of. These concluding messages are important to my understanding of Grisham's novel. Appel and Richter do believe that readers are transported to a fictional world (which inadvertently shifts real-world beliefs), but they acknowledge that there is often truth to fictional narratives (115).

Perceived Corruption in the United States

Throughout the United States, there will inevitably be a percentage of citizens who do not believe that corporate America is corrupt. Americans put faith into the legal system and expect every act, ruling, or legislation, to be passed with honesty and fairness. In addition, there aren't large corporate scandals being exposed regularly in the media. This could be due to there simply not being any. Or, perhaps ties and close connections among heads of media outlets and corporations prevent frauds or scandals from ever being exposed. Unfortunately, the amount of media attention given to corruption is commensurate with the *perceived* corruption in corporate

America.

Roberta Johnson discusses the discrepancy between perceived versus actual corruption in her conference paper, “Corruption: Dare we Compare the United States vs. China?” Johnson initially describes the statistics found by a nonprofit organization, Transparency International (TI). This organization uses surveys to rank countries on their perceived level of corruption. Johnson references their survey, writing that “Of the 163 countries TI surveyed in 2006, the United States was rated as 20 (relatively low). But on any given day, reports of questionable and corrupt practices in Washington and in many American cities and states appear on the pages of local morning newspapers.” This clearly challenges the verisimilitude of Grisham's text. Johnson's findings beg the question: “With all this apparent wrongdoing, why is the United States counted among the least corrupt of the world's nations?” (2). However, she answers this question by analyzing the average American's daily experience: “If there is corruption, it is more likely to occur not on the federal level, but in local and state bureaucracy where people live, where most services are delivered, and where there is most opportunity...” (3.) The greed and electoral scandal in *The Appeal* takes place at the state level. The allegations against Krane Chemical Company are initially tried near the city of Bowmore, where all of the victims are from. So the perception of corruption on the local level will be inevitably higher.

Johnson's article indirectly emphasizes the importance of symbols in *The Appeal*. Johnson writes “When we consider the big picture, the American bureaucracy in its day to day normal activities, we see that it is generally free from *blatant* partisan pressures and corrupt practices. However, when we turn to *elected* officials, the pattern is more provocative.” Ron Fisk was elected. Trudeau and his men knew that they could manipulate the people of Mississippi and have the decision against Krane company reversed. The United States has shown time and time again that wealthy corporate interests cannot be overlooked. Johnson continues: “The enormous

amount of money spent on elections, and spent on lobbying once politicians are elected, seems suspect...while money may seem to influence the behavior of elected officials, technically and legally, if contributions are made in accordance with legal requirements, America's political money chase is not considered corrupt," (4). Johnson shows that America's faith in elections and judicial systems is because of the laws that prohibit practices and require transparency.

Protective laws create a good, predictable feeling among Americans, and "While there is an understanding that people may cheat, there is also an optimism (perhaps naïve) that these laws, with appropriate enforcement, will catch the crooks and by example, prevent others from cheating" (4). *The Appeal* needs to evoke a level of understanding and acceptance since it seems to symbolize American culture. Once readers realize that regulatory committees cannot prevent all corporate interests from circumventing rules and finding loopholes, then perhaps Grisham's narrative will be seen by all readers as having very high verisimilitude.

The Appeal is a fast-paced novel that delivers more than just a fictitious tale of a manipulated judicial election. John Grisham's discourse should be understood as more than entertainment. The story is relatable to real corruption. Although it is a fiction novel, Grisham seems to lambaste the unethical, greedy actions of corporate America and the consequences suffered by the defenseless victims. *The Appeal* paints a picture that has high verisimilitude as its characters and plot represent real-world scenarios.

John Grisham's novel reminds us that vigilance is necessary in a country dominated by big business and corporate interests, where big money can lead to misuse of power. American citizens place great faith in the U.S. legal system, particularly with state and federal judiciaries. Although our laws are legalized through Congress, judicial courts bear a significant impact since they can uphold or reverse cases. Supreme Court judiciaries fundamentally set laws as they can decide whether a certain aspect of a case is constitutional or not. Moreover, their decisions set

precedents for future cases and are extremely difficult to overturn. Hence, *The Appeal*, though fictitious, is a very important read. Americans seem to hold state and federal judiciaries in high-esteem, so their true intentions are rarely questioned. Since judicial elections and rulings can be unfairly influenced, it is important to know the means by which landmark decisions are made. If the Supreme Court judges affect the public, then citizens should know the hidden agendas associated with some judicial positions.

Throughout this paper, I have shown why *The Appeal* should be interpreted literally. The characteristics of Grisham's main characters seem to be true of their real world counterparts. The concept of scandals and hidden agendas among wealthy corporate figures also pervades American politics. Finally, the plot in its entirety reflects a very well-known case where a large corporation manipulated an election in attempt to gain control and overturn a verdict. I also discarded several theorists' work, which may have undermined my assessment of *The Appeal*. This section included discussion of the great credence that individuals give to government based on the belief that there is little governmental misconduct.

Despite the book's grim conclusion, the novel mirrors American culture. Grisham does more than sparingly incorporate elements of reality throughout his book. *The Appeal* offers a very valid critique of America. It is good for our sense of well-being to be cognizant of greed, fraud, and corruptive practices that stem from corporate interests. Even though his conclusion can be taken with a grain of salt—since deceitful powers are not always victorious—Grisham imparts a message of corruption that should be noticed and taken seriously. As such, it is important to understand the potential misconduct and deception that can occur in a governmental sector, even one that prides itself on honor.

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